

## **MEETING MINUTES, PLANNING COMMISSION, JUNE 9, 2008**

**Present:** Phil Tinkle, Brent Corey, Bettina Settles, Tom Bridges, Duane O'Neal, Trent Pohlar, Alford Kessinger, Carmen Madsen, Tom McClain, Mark Richards, City Engineer; Ed Ferguson, Planning Director; Shawna Koons-Davis, City Attorney; Janice Nix, Recording Secretary

The meeting was called to order at 7:00 p.m. by Trent Pohlar, President.

### **PREVIOUS MINUTES**

May 28<sup>th</sup> – Settles moved to approve the minutes as mailed, seconded by Tinkle. Vote for **approval** was unanimous, 10-0. **Motion carried.**

**Docket PC2008-030** – **Change in Commitments – Rocklane Ridge** – 2606 E. Main St. – Request to amend previously approved commitments – Rocklane Properties, LLC, applicant; Joe Calderon, Attorney, representing.

Joe Calderon, Attorney, came forward and was sworn. A written request asking for continuance to July 14, 2008, was received by the Planning Office last week. Attorney Calderon explained that the petitioners have scheduled meetings with some of the surrounding property owners. Commission President Pohlar asked Gary Miller, representative of the East of I65 Association, his position on the continuance request. Mr. Miller said they had no objections to it being continued. Tinkle moved to continue PC2008-030 to July 14, 2008, seconded by Madsen. Vote for **approval** for the **continuance** was unanimous, 10-0. **Motion carried.**

### **OLD BUSINESS**

**Docket PC2008-023** – **Annexation Petition – Greenwood Advisory Plan Commission, Area 5** - Lehigh Acres generally located along Cutsinger Road and Averitt Road - Request to annex various "pocket areas" throughout the City. The areas have been divided into 8 different areas – Greenwood Advisory Plan Commission, petitioner.

Commission member Kessinger recused himself from consideration of this petition.

Ed Ferguson, Planning Director, and members of the audience were sworn.

Mr. Ferguson presented a map showing which properties are proposed to be zoned AG Agricultural and which will remain R-2 Single Family. He noted that he had received several consent forms for the AG zoning from property owners.

The floor was opened for comment. There were no remonstrators that came forward, however, there were some in attendance that indicated they were in favor of the change to AG zoning.

Attorney Koons-Davis reviewed the statutory criteria for the Commission.

Bridges moved that the petition for a Zone Map Change for the rezoning of approximately 94.57 acres of land known as Lehigh Acres generally located along Cutsinger Road and Averitt Road, and within the area of extended jurisdiction of the City of Greenwood, Johnson County, Indiana, from R-2 –Residential – Single-Family use to AG – Agricultural use, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by O'Neal. Vote for **approval** was unanimous, 9-0. **Motion carried.**

Madsen moved to amend the proposed Greenwood Common Council Annexation Ordinance for Area 5, Lehigh Acres,

**AN ORDINANCE ANNEXING CERTAIN TERRITORY WITHIN THE AREA OF EXTENDED JURISDICTION OF THE CITY OF GREENWOOD, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF AND MAKING THE SAME A PART OF THE CITY OF GREENWOOD AND REDEFINING THE CORPORATE BOUNDARIES OF THE CITY OF GREENWOOD, INDIANA, APPROXIMATELY 137.7 ACRES LOCATED ALONG CUTSINGER ROAD AND AVERITT ROAD (commonly known as Lehigh Acres)" as follows:**

A. In the fourth WHEREAS clause by deleting it in its entirety and replacing the deleted language with the following:

"WHEREAS, these parcels are located in the Greenwood Plan Commission's area of extended jurisdiction and the petitioner is requesting rezoning of approximately 94.57 acres from the current Greenwood zoning of R-2 – Residential – Single-Family use to AG – Agricultural use to which the owners have consented; with approximately 43.13 acres to remain zoned the current R-2 – Residential – Single Family use by Greenwood Common Council Ordinance No. 08-\_\_\_\_; and"

B. In Section 1. Annexed Areas by amending the following parcels: 5-1; 5-2; 5-3; 5-30; 5-53; 5-54; 5-55; 5-56; 5-57; 5-58; 5-59; 5-60; 5-61; and 5-62, from the current zoning "R-2" to "AG".

C. In Section 3. by deleting it in its entirety and replacing the deleted language with the following:

"Section 3. The official zoning map referred to in Greenwood Zoning Ordinance No. 82-1, as amended, shall reflect and the Greenwood Common Council states that upon the effective date of this annexation ordinance, that approximately 94.57 acres within the above described annexation area shall be rezoned from the current Greenwood zoning of R-2 – Residential- Single-Family use to AG – Agricultural use; with approximately 43.13 acres to remain zoned the current R-2 – Residential – Single Family use."

Seconded by O'Neal. Vote for **approval** was unanimous, 9-0. **Motion carried.**

Madsen moved that the petition for annexation of approximately 137.7 acres known as Lehigh Acres generally located along Cutsinger Road and Averitt Road, which is within the area of extended jurisdiction of the City of Greenwood, Johnson County, Indiana, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council; and that the same be certified to the Greenwood Common Council in the form presented, as amended, seconded by O'Neal. Vote for **approval** was unanimous, 9-0. **Motion carried.**

Kessinger resumed his position with the Commission.

**NEW BUSINESS**

**Docket PC2008-027 – Plat Vacation – Dreyer Reinbold** – 1301 & 1305 S U.S. 31 – Request to remove the property line between the two lots – Dreyer Reinbold Realty, LLC, petitioner; Brian Tuohy, Attorney, representing.

Brian Tuohy, Attorney, came forward and was sworn. He presented a site plan of the property showing the lot line to be removed. His client has already appeared before the Board of Public Works and Safety and received approval to vacate the drainage/utility easement. Tinkle inquired if City Engineer Mark Richards had any problem with this being done. He stated he did not.

Tinkle moved to recommend to the City Council approval of the plat vacation, seconded by Settles. Vote for **approval** was unanimous, 10-0. **Motion carried.**

Tinkle moved to approve vacation of the drainage easement, seconded by Madsen. Vote for **approval** was unanimous, 10-0. **Motion carried.**

**ANNOUNCEMENTS/REPORTS**

O'Neal moved to adjourn, seconded by Madsen. Meeting was adjourned at 7:25 p.m.

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JANICE NIX  
Recording Secretary

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TRENT POHLAR  
President